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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 TOBY M. SEMICK, ) Case No. CV 14-03186-ODW (DTB)  
12 Plaintiff, )  
13 vs. ) ORDER ACCEPTING FINDINGS,  
14 SHERIFF LEE BACA, et al., ) CONCLUSIONS AND  
15 Defendants. ) RECOMMENDATIONS OF UNITED  
16 STATES MAGISTRATE JUDGE

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17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Second Amended  
18 Complaint, all the records and files herein, and the Report and Recommendation of  
19 the United States Magistrate Judge. No objections to the Report and Recommendation  
20 have been filed herein. The Court concurs with and accepts the findings, conclusions  
21 and recommendations of the Magistrate Judge.

22 IT THEREFORE IS ORDERED that former Sheriff Lee Baca's Motion to  
23 Dismiss is granted and that plaintiff's federal civil rights claims against Baca are  
24 dismissed without leave to amend and with prejudice; that plaintiff's claims against  
25 Deputy Kross are dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m); that  
26 the Court declines to exercise supplemental jurisdiction over plaintiff's state law

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1 claims against Baca and dismisses those claims without prejudice to plaintiff raising  
2 them in state court; and that Judgment be entered dismissing this action accordingly.

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4 Dated: \_\_July 18, 2016

  
5 OTIS D. WRIGHT, II  
6 UNITED STATES DISTRICT JUDGE  
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